

03/24/2011

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7593

NAME AND ADDRESS: RICHARD PIEPER
976 MC JON LN
REXBURG ID 83440

LA JEAN PIEPER
976 MC JON LN
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
10.500 AFY

X This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 10.5 af at the field headgate for the place of use.

PRIORITY DATE: 08/25/1988

POINT OF DIVERSION:

SW
T06N R39E S13 NENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.090 CFS
10.50 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in MADISON County

T06N R39E S13 NENW 3.00

3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

X Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

BRECK & MAURIE BARTON
4700 W 1000 N
REXBURG ID 83440

Sellers
copy of NCAP
22-7593

POCATELLO ID 832

14 APR 2006 PM 11

U.S. POSTAGE
1527
8911 \$00.39 APR 14 2006
1836 MAILED FROM ZIP CODE 83402

RECEIVED
APR 20 2006
Department of Water Resources
Eastern Region

BART700 834402015 1A05 21 04/17/06
RETURN TO SENDER
BARTON
PO BOX 699
REXBURG ID 83440-0699
RETURN TO SENDER

83440+3087 83402/1700





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

May 22, 2006

KARL J. DREHER
Director

BRECK BARTON
BRECK BARTON & ASSOCIATES
PO BOX 100
REXBURG ID 83440

RE: WATER RIGHT OWNERSHIP CHANGE 22-7593

Dear Mr. Barton

Enclosed is a copy of the completed ownership change from Barton to Pieper. If you want to be added as Mr. Pieper's attorney, please send me a letter to that affect.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

PROFILED

SCANNED

JUL 18 2006



BRECK BARTON
& ASSOCIATES, P.A.
LAW OFFICES

Breck H. Barton, J.D.

Received → 3/29/06
where is it?
70 North Center, Suite 2
P.O. Box 100
Rexburg, ID 83440

(208) 356-4880
FAX (208) 356-4882

RECEIVED

May 11, 2006

MAY 16 2006

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Region
ATTN: Karl Dreher
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Right #: 22-7593

Dear Mr. Dreher:

The above right pertains to a well that watered my property at my old residence. This residence was sold approximately two years ago this May. I thought that I had made application for change of ownership to Richard Pieper, the new purchaser. Would you please make such change or, if there is any required paperwork I must sign to effectuate the change, forward a copy of the same to me so that your records might correctly indicate the current owner. Thank you for your courtesies.

Very Truly Yours,


Breck Barton

cc: Richard Pieper

BB/cz

PROFILE

SCANNED

JUL 18 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 13, 2006

RICHARD & LA JEAN PIEPER
976 MC JON LN
REXBURG ID 83440

RE: Notice of Change of Water Right Ownership (NCO) for 22-7593 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Pieper:

On March 29, 2006, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure

SCANNED
JUL 18 2006

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Water Rights: 22-7593

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

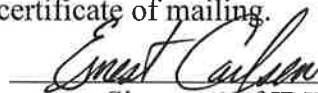
- ☐ Address change
- ☒ Substitution of Party BARTON-PIEPER
- ☐ I.C. § 42-222 transfer

- | | |
|---|--|
| ☐ point of diversion | ☐ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 13, 2006



Signature of IDWR Representative

SCANNED
JUL 18 2006

CERTIFICATE OF MAILING

I certify that on 4-14, 2006, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
BRECK & MAURIE BARTON
4700 W 1000 N
REXBURG ID 83440

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
RICHARD & LA JEAN PIEPER
976 MC JON LN
REXBURG ID 83440

4. One copy to:

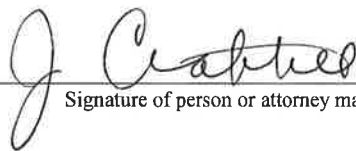
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

RECEIVED
MAR 29 2006
Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-7593 VI					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Breck H. Barton / Maurie Barton
4700 W. 1000 N. Rexburg, ID 83440
4. New Owner/Claimant(s) Richard L. Pieper / LaJean C. Pieper
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 976 McJon Lane
- City, State and ZIP Code Rexburg, ID 83440
- New Telephone Number 208 656-9976
5. Date you acquired the property 30 July 2004

SCANNED
JUL 18 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Richard L. Pieper
La Juan B. Pieper

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
JUL 18 2006

AFTER RECORDING MAIL TO:

Richard L. Pieper and LaJean C. Pieper
976 McJon Lane
Rexburg, ID 83440

Instrument # 313844

REXBURG, MADISON, IDAHO
2004-08-04 02:15:00 No. of Pages: 2
Recorded for : FIRST AMERICAN TITLE
MARILYN R. RASMUSSEN Fee: 6.00
Ex-Officio Recorder Deputy

WARRANTY DEED

File No.: **RX33949 (ns)**

Date: **July 28, 2004**

For Value Received, **Breck H. Barton and Maurie Barton, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Richard L. Pieper and LaJean C. Pieper**, hereinafter called the Grantee, whose current address is **976 McJon Lane, Rexburg, ID 83440**, the following described premises, situated in **Madison County, Idaho**, to-wit:

Lot 6, Block 1 of the First Amended Plat of J & M Subdivision, Madison County, Idaho as shown on the plat recorded November 14, 1979, Instrument No. 181440.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


Breck H. Barton


Maurie Barton

Date: 07/28/2004

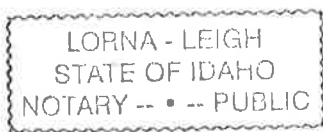
Warranty Deed
- continued

File No.: RX33949 (ns)

STATE OF Idaho)
SS.

COUNTY OF Madison)

On this 30th day of July, 2004, before me, a Notary Public in and for said State, personally appeared **Breck H. Barton and Maurie Barton**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.





Notary Public for the State of Idaho
Residing at: Idaho Falls, ID
My Commission Expires: 2-16-2007

Water Right No(s). 22-7593

See Attached Photo

*New owner is; Richard Pieper
976 McJannet Lane
Rexburg, ID 83440

Phone # - 208-656-9976
cell - 520-6059

GPS data - 2475915
1408015

GPS File #. 227593

GPS DATA:

Tag # A0015939 Location: on well casing

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: Submersed Model: _____ Hp: 3 **SCANNED**

SN: _____

JUL 18 2006

PUMP

Make: Submersed Model: _____ Disch: _____ **PROFILE**

SN: _____

NOTES:

* Change of ownership needs to be sent. System is ring well
separate from adjacent home to wheelwells.

Field Exam Date: 8-22-2005 Agent: H. W. Jones

Chambers As Lic -> So Recomm

GB
Tag



Claim 22-7593, Looking North, 8" casing on well

Township
06N

Range
39E

Section
13



Notes:



300 0 300 600 900 1200 1500 1800 2100 Feet

Water Right #: 2207593

Examiner

Date:

227593

06N39E13



December 14, 2005

RICHARD PIEPER
1686 W 1750 N
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR: A22-7593

Dear Claimant:

It has come to our attention that you may have recently purchased a tract of land in Madison County. The property to which I am referring was most recently owned by Breck & Maurie Barton. The legal description is as follows:

T06N, R39E, SEC 13 NE/NW

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you questions regarding this matter, please call 525-7161.

Respectfully submitted,

Katy Jackson
Office Specialist 1

Enclosure(s)

SCANNED

DEC 17 2005

PROFILED

December 12, 2005

BRECK BARTON
MAURIE BARTON
PO BOX 699
REXBURG ID 83440

Dear Claimant:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

BRECK BARTON
MAURIE BARTON
1686 W 1750 N
REXBURG ID 83440

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Katy Jackson
Office Specialist 1

Enclosure(s)

SCANNED

DEC 17 2005

PROFILED

27-7593



*BRECK BARTON
& ASSOCIATES, P.A.
LAW OFFICES*

70 North Center, Suite 2
P.O. Box 100
Rexburg, ID 83440

(208) 356-4880

FAX (208) 356-4882

Breck H. Barton, J.D.

August 13, 2002

Ernie Carlson
State of Idaho
Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Water right number 22-7593

Dear Ernie:

I neglected to file a water right for a well that irrigates my pasture in the Snake River Basin adjudication. Recently Harold Jones brought this to my attention concomitant with the fact that my domestic right is .25CFS thereby requiring that I participate in water measurements in the water measurement district. I've addressed this issue with Shelly Keen in Boise but desire your help to get an appointment to file my late water right claim which is water right number 22-7593 as suggested by Harold. Could you call my office and set a time when I can come down and do whatever needs to be done to get this taken care. Thanks so much for your help.

Very truly yours,


Breck Barton

BB/kd

RECEIVED
AUG 15 2002
Department of Water Resources
Eastern Region

SCANNED

JUL 05 2006

December 4, 2002

Mr. Breck H. Barton, J.D.
70 North Center, Suite 2
P.O. Box 100
Rexburg, ID 83440

Re: Water Right No. 22-7593

Dear Mr. Barton,

Thank you for responding and making a claim for your water right in the Snake River Basin Adjudication referenced above. I have included a printed copy of the claim for your review and signatures. The information on the claim matches water right information currently on file. If changes are required, I ask that you make them followed by signatures and notary and return them to my attention.

A fee of \$50 plus a dollar per acre for a total of \$53.00 is required. We will not process the claim until monies and the signed claim has been received. If you have any further questions, please feel free to contact me at 525-7161.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Crabtree" with a small "for" written below the name.

W. Roger Warner
Adjudication Specialist

SCANNED
JUL 05 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2002

BRECK & MAURIE BARTON
1686 W 1750 N
REXBURG ID 83440

RE: RETURN OF CHECK NO. 1111 FOR \$53 DATED 12-18-02

Dear Mr. & Mrs. Barton:

I am returning the above referenced check. We received payment for water right 22-7593 on 12-13-02 so the fees are current.

Sincerely,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist

Enclosure

SCANNED

JUL 05 2006

BRECK BARTON & ASSOCIATES P.A.

M B K RANCH
1686 W. 1750 N.
REXBURG, ID 83440-3342

1111

DATE

Dec. 18, 2002

92-155/1241
114

PAY
TO THE
ORDER OF

IDWR

\$ *53.00*

DOLLARS

Security features
are included.
Details on back.



KeyBank National Association
Rexburg, Idaho 83440
1-800-KEY2YOU

FOR

SRBA # 22-7593

Bruce Barton

83402+1700

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07593

Priority: August 25, 1988

Maximum Diversion Rate:

0.09 CFS

This is to certify, that BRECK BARTON
MAURIE BARTON

1686 W 1750 N
REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 25, 1988; and has submitted Proof of Beneficial Use on January 31, 1990. An examination indicates that the works have a diversion capacity of 0.110 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	04/15 to 10/15	0.09 CFS	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 13, Township 06N, Range 39E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 39E 13	NENW 3		3	3

Total number of acres irrigated: 3

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above. *inactive*
5. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor exceed a combined annual diversion volume of 10.5 af for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23rd day of OCTOBER, 1988.

RECORDED

AUG 9 1987

Acting for

KARL J. DRAPER, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 23 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-07593

1. Owner: BRECK OR MAURIE BARTON

Phone No. 356-3110 (H)

Current Address: 1686 W 1750 N Rexburg Id 83440

356-4880 (W)

2. Accompanied by: BRECK BARTON

EXAM DATE: 8-1-1997

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NE	NW	13	6N	39E	MADISON	ON SITE / FSA AERIAL / USGS QUAT

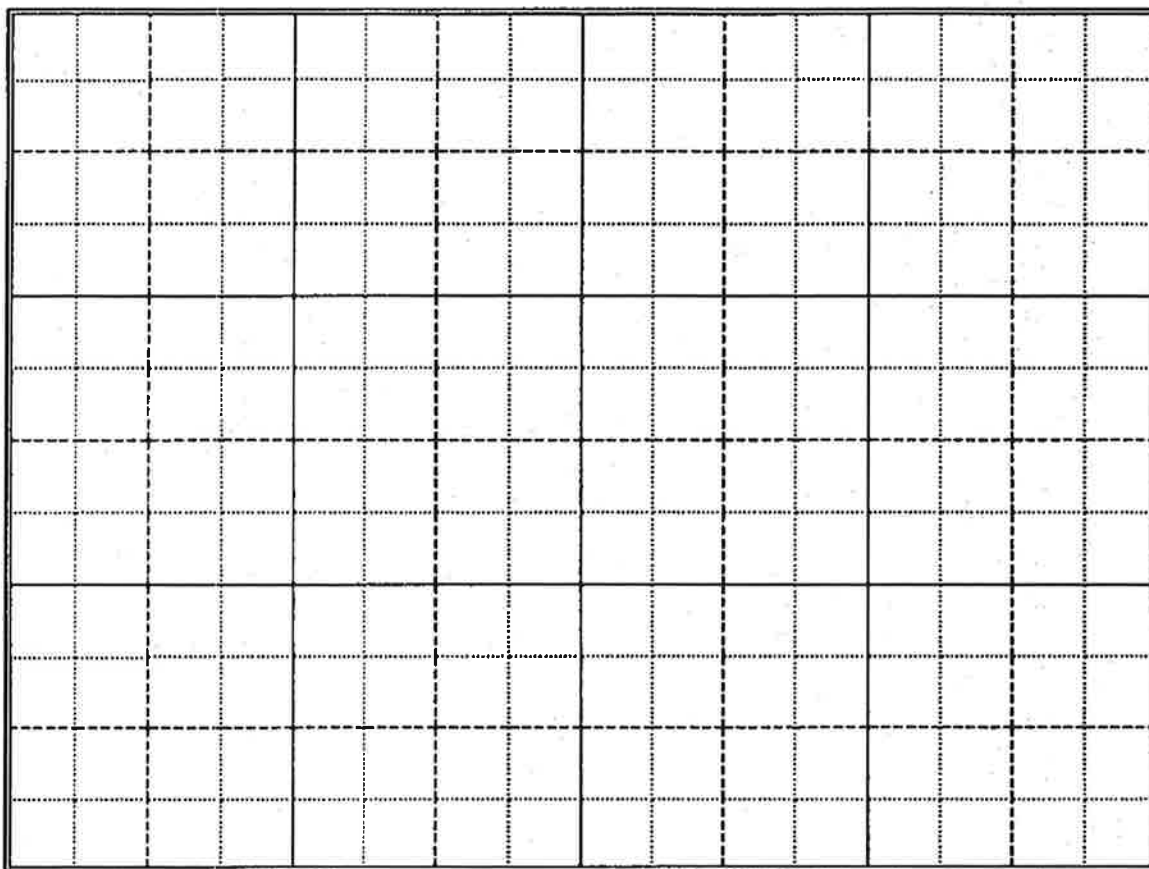
2. Place(s) of Use:

Indicate Method of Determination FSA AERIAL

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	39E	13					3											3	

SEP 29 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" =



Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).



Aerial Photo Attached (required for irrigation of 10+ acres)



Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model # Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	MYERS	3	2823028103	-	-

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 82psi at both ends of wheel line

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline to wheel lines with sprinklers

9 - 9/64 NOZZLES 82 PSI AVERAGE PRESSURE

82 PSI * * * * * 82 PSI
9/64 9/64 9/64 9/64 9/64 9/64 9/64 9/64 9/64

Have conditions of permit approval been met? ☒ yes ☐ no

RECEIVED

OCT 29 1957

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

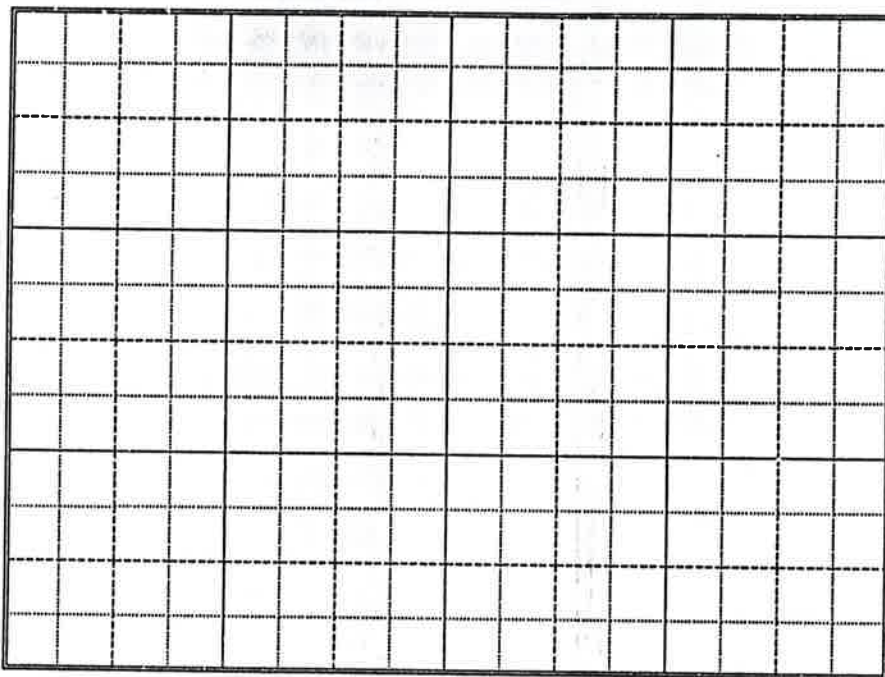
I. AUTHENTICATIONField Examiner's Name KETHA C WILSON Date 8-1-1997

Reviewer _____ Date _____

SEAL

Original Field Exam
by Keith Wilson
22-7593

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" =

☒ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (if applicable).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model # Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	MYERS	3	2823028103	-	-

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 82 psi at both ends of wheel line

Original Field Exam
By Keith Wilson
22-7593

- ① 80 psi $\frac{1}{64}$ " nozzle delivers 5.29 gpm
② 85 psi $\frac{1}{64}$ " nozzle delivers 5.45 gpm } 0.16 difference

$$\frac{Z}{S} = \frac{X}{0.16} \quad X = 0.064$$

$\therefore$ ③ 82 psi $\frac{1}{64}$ " nozzle delivers $5.29 \text{ gpm} + 0.064 \text{ gpm} = 5.354 \text{ gpm}$

$$(9 \text{ sprinklers}) (5.354 \text{ gpm}) = 48.2 \text{ gpm} = 0.11 \text{ cfs system capacity}$$

PERMIT # 22-07593

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-7593

Date Received:
Receipt Nos:
Received By:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Name of Claimant LA JEAN PIEPER
RICHARD PIEPER
976 MC JON LN
REXBURG, ID 83440
(208)656-9976

Priority Date: 03/01/1883
Basis: Decreed/License
Status: Active

<u>Source</u>	<u>Tributary</u>
Ground Water	
Teton River	Snake River

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.09 CFS	10.5 AFA
Total Diversion			0.09 CFS	

Location of Point(s) of Diversion:

GROUND WATER SWNENW Sec. 13 Township 06N Range 39E MADISON County

Licensed Diversion Capacity: 0.11

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	39E	13		NENW 3										

Total Acres: 3

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Teton Island Feeder Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately
1. C18 determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded.
2. S38 The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License

Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.



Jerry R. Rigby, Attorney for Claimant

STATE OF IDAHO,)

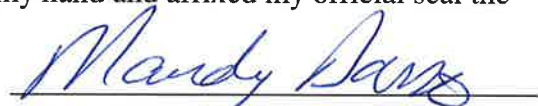
ss.

County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.





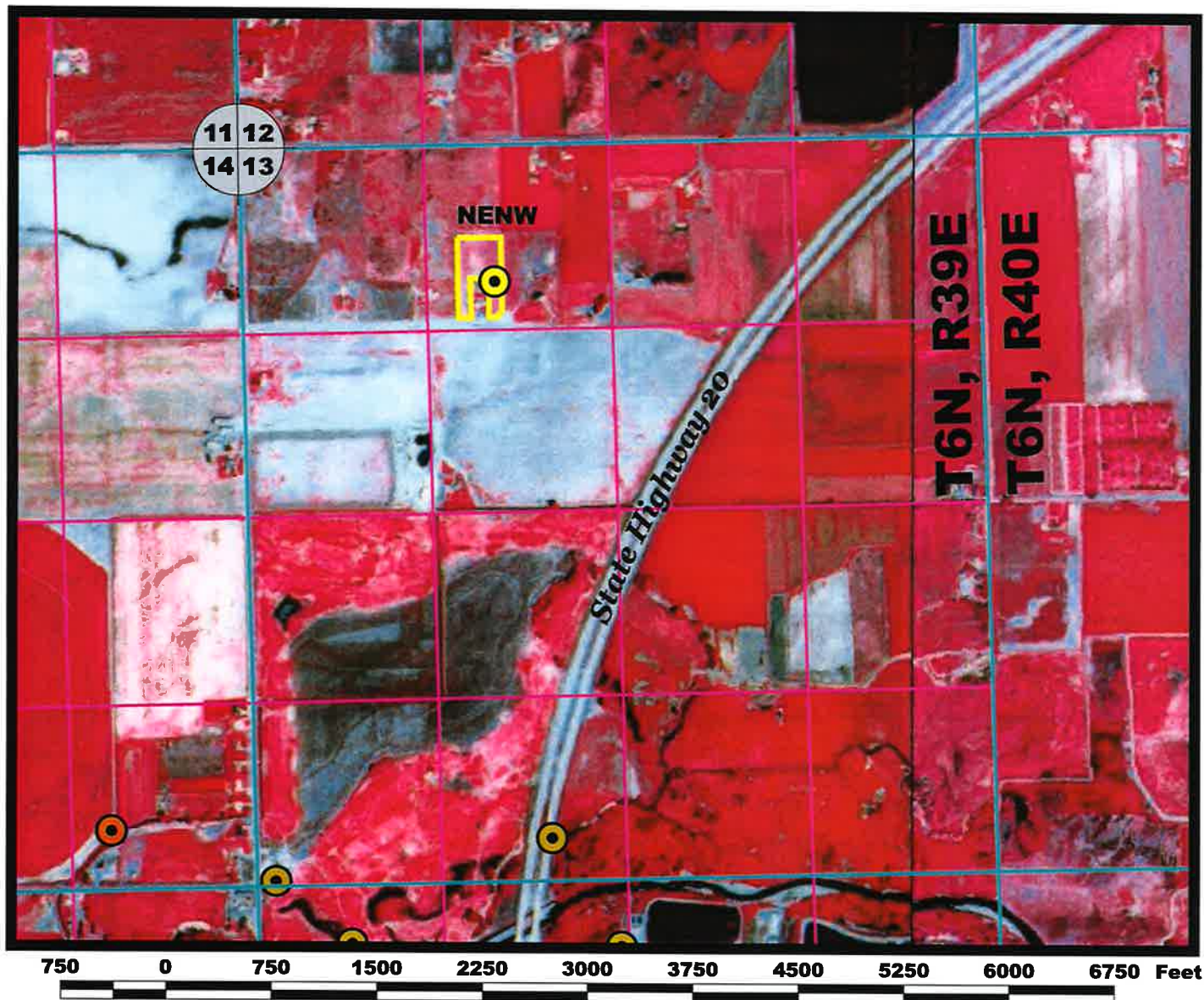
Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011



Eastern Region



Water Right(s):
22-7593

Point(s) of Diversion:
T6N, R39E
Sec. 13 SWNENW

Place of Use: (part of)
T6N, R39E
Sec. 13 NENW

LEGEND

- | | |
|---|---------------------------|
|  | Point of Diversion |
|  | SESE |
|  | Place of Use |
|  | Section |
|  | Quarter-Quarter |



**GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: September 2005**

04/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7593

NAME AND ADDRESS: RICHARD PIEPER
976 MC JON LN
REXBURG ID 83440

LA JEAN PIEPER
976 MC JON LN
REXBURG ID 83440

SOURCE: GROUND WATER ✓

TRIBUTARY:

QUANTITY: 0.090 CFS ✓
10.50 AFY ✓

PRIORITY DATE: 08/25/1988 ✓

POINT OF
DIVERSION: T06N R39E S13 ~~SW~~NENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION ✓

PERIOD OF USE
04/15 10/15 ✓

QUANTITY
0.090 CFS ✓
10.50 AFY ✓

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right. ✓

PLACE OF USE: IRRIGATION Within MADISON County

T06N R39E S13 NENW 3.00 ✓
3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

+050
+WB7

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-7593
Date Received: 12/4/2002
Receipt No: E028376
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BRECK BARTON Phone: (208)356-3110

1686 W 1750 N
REXBURG ID USA 83440

MAURIE BARTON Phone: (208)356-3110

1686 W 1750 N
REXBURG ID USA 83440

2. Date of Priority: 08/25/1988

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	39E	13	NE NW	MADISON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.09	

7. Total Quantity Appropriated is:
0.09 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

RECEIVED
DEC 20 2002
Department of Water Resources
Eastern Region

2207593



SCANNED

JUL 05 2006

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	39E	13	NE	NW	IRRIGATION	3
Section Acres						3
Total Acres						3

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *[Signature]* Date: 12.19.02

Date:

State of Idaho)

County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of December 2002

Katie Kidd

Notary Public

Residing at Madison Count

My commission Expires 05/13/08

